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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

-oOo-

**UNITED STATES OF AMERICA,**

Plaintiff,

vs.

**MANUEL ANDRADE-ESQUIVEL,  
EMILIO BOGARIN, JR., and  
FRANCISCO JAVIER RIVERA-LOPEZ,**

Defendants.

)  
) Case No.: 2:15-mj-00742-PAL  
)

) Stipulation to Continue Preliminary Hearing  
) Date (First Request)  
)

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel Bodgen,  
United States Attorney, Brandon C. Jarock, Assistant United States Attorney, counsel for the  
United States of America and Brian Pugh, AFPD, counsel for Manuel Andrade-Esquivel, Lance  
Hendron, Esq., counsel for Emilio Bogarin, Jr., and Osvaldo Fumo, Esq., counsel for Francisco  
Rivera-Lopez:

THAT THE PRELIMINARY HEARING CURRENTLY SCHEDULED FOR  
October 7, 2015, at 4:00 p.m. before U.S. Magistrate Peggy Leen be vacated and set to a time  
convenient for the Court, but no earlier than 30 days from the current setting.

This stipulation is entered into for the following reasons:

- 1 1. The government will be providing defense counsel with limited Rule 16 Discovery.  
2 Counsel for the defendants requests an opportunity to review the discovery and discuss  
3 matters with their clients prior to a preliminary hearing or an indictment.
- 4 2. Counsel for the defendants and counsel for the government agree to the continuance.
- 5 3. Mr. Andrade-Esquivel is not detained and Mr. Bogarin and Mr. Rivera-Lopez are  
6 detained and all agree to the continuance.
- 7 4. Denial of this request for continuance could result in a miscarriage of justice.
- 8 5. The additional time requested by this Stipulation is excludable in computing the time  
9 from the filing of the criminal complaint through which the government must assert an  
10 criminal Information or seek an Indictment by the Grand Jury pursuant to the Speedy  
11 Trial Act, Title 18, United States Code Section 3161(h)(7)(A), when considering the  
12 factors under Title 18, United States Code, Sections 3161(h)(7)(B) and  
13 3161(h)(7)(B)(iv).
- 14 6. This is the first request for a continuance.

15 Dated this 30th day of September, 2015.

16 Respectfully Submitted,

17 DANIEL G. BOGDEN  
18 United States Attorney

19 /s/ Brandon C. Jaroch  
20 BRANDON C. JAROCH, AUSA

/s/ Brian Pugh  
BRIAN PUGH, AFPD

21 /s/ Lance Hendron  
22 LANCE HENDRON, Esq.

23 /s/ Osvaldo Fuma  
24 OSWALDO FUMA, Esq.

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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
Court finds that:

1. The period within which the government may assert an Information or seek an  
Indictment through the Grand Jury against the defendant is hereby extended from the  
date of the filing of the complaint up through and including November \_\_\_\_, 2015.
2. All parties agree to the continuance.
3. Mr. Andrade-Esquivel is not detained and Mr. Bogarin and Mr. Rivera-Lopez are  
detained and all agree to the continuance.

